

United States Bankruptcy Court
Middle District of Tennessee

In re:
JAMES WHITFIELD LIVINGSTON
Debtor

Case No. 20-03559-MFH
Chapter 7

District/off: 0650-3
Date Rcvd: Jul 06, 2021

User: ccm7036
Form ID: prelimhr

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 08, 2021:

Recip ID	Recipient Name and Address
db	+ JAMES WHITFIELD LIVINGSTON, PO BOX 91047, Nashville, TN 37209-9047

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 08, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 6, 2021 at the address(es) listed below:

Name	Email Address
HOLLY N KNIGHT	on behalf of Creditor Branch Banking & Trust now Truist Bank hknight@knightlawllc.com
KEVIN J JONES	on behalf of Creditor FIRST HERITAGE CREDIT kevin@kjjlaw.com
LEFKOVITZ AND LEFKOVITZ, PLLC	on behalf of Debtor JAMES WHITFIELD LIVINGSTON slefkovitz@lefkovitz.com sllbkecf@gmail.com;khancock@lefkovitz.com;lefkovitzvlecf@lefkovitz.com;r52946@notify.bestcase.com;mspezia@lefkovitz.com
MATTHEW R MURPHY	on behalf of Creditor SYNOVUS BANK mmurphy@smythehuff.com
PRA Receivables Management, LLC	claims@recoverycorp.com
ROBERT H WALDSCHMIDT	

on behalf of Trustee ROBERT H. WALDSCHMIDT rhw@rhwlawoffice.com rhw@trustesolutions.com;rhw@trustesolutions.net

ROBERT H. WALDSCHMIDT

trustee@rhwlawoffice.com rhw@trustesolutions.com;rhw@trustesolutions.net

US TRUSTEE

ustpregion08.na.ecf@usdoj.gov

WILLIAM ANDREW BOBO

on behalf of Creditor Farm Credit Mid-America FLCA abobo@bobohuntandwhite.com

TOTAL: 9

United States Bankruptcy Court

MIDDLE DISTRICT OF TENNESSEE

In re:

JAMES WHITFIELD LIVINGSTON

Case No. 3:20-bk-03559

Chapter: 7 Judge: Marian F Harrison

Movant: BRANCH BANKING & TRUST
COMPANY NOW TRUIST BANK

v.

Respondents: JAMES WHITFIELD LIVINGSTON,
ROBERT H. WALDSCHMIDT, TRUSTEE

NOTICE OF PRELIMINARY HEARING AND PREHEARING ORDER

THIS IS NOTICE THAT A PRELIMINARY HEARING OF THE MOTION FOR RELIEF FROM STAY HAS BEEN SET ON **7/27/21 AT 09:00 AM** Telephonically. The call-in number is **1-888-363-4749**, Access Code **4511038#**.

RESPONDENT SHALL FILE AND SERVE A RESPONSE TO THE MOTION FOR RELIEF FROM STAY AT LEAST 7 DAYS BEFORE THE PRELIMINARY HEARING. FAILURE TO TIMELY FILE AND SERVE A RESPONSE TO THE MOTION SHALL BE DEEMED A STATEMENT OF NO OPPOSITION. **IF NO TIMELY RESPONSE IS FILED, THE PRELIMINARY HEARING SCHEDULED ABOVE WILL NOT BE HELD AND THE MOVANT SHALL SUBMIT AN ORDER GRANTING THE REQUESTED RELIEF.** IF A TIMELY RESPONSE IS FILED, THE PRELIMINARY HEARING SCHEDULED ABOVE WILL BE HELD AND ALL PARTIES SHALL COMPLY WITH THE PROVISIONS BELOW.

In the event a final hearing is necessary, the final hearing will be scheduled by the court at the preliminary hearing.

COUNSEL FOR EACH PARTY IS ORDERED to file **no later than 4:00 p.m. on the 3rd business day before the preliminary hearing**, a "**PREHEARING STATEMENT**" containing the following:

FOR MOVANT

1. A brief statement of each cause for relief from the stay.
2. A brief summary of movant's contentions of fact in support of each cause for relief from the stay and the evidence to be relied upon to establish those facts.

FOR RESPONDENT

1. A brief statement of each defense.
2. A brief summary of respondent's contentions of fact in support of each defense, and the evidence to be relied upon to establish those facts.

FOR ALL PARTIES

1. A statement of all admitted uncontested facts.
2. Each Party's brief statement of contested facts.
3. Each party's brief statement of contested legal issues.
4. The affidavits or other documentary proof which each party submits in support of its contentions.

Any creditor asserting a lien or security interest shall include proof of its lien or security interest and **proof of perfection**. All such affidavits or documents shall be exchanged by the parties at or before the time of filing of the PREHEARING STATEMENT.

PROCEDURE AT PRELIMINARY HEARING

At the preliminary hearing, the Court will consider the motion and response, the PREHEARING STATEMENT and attachments and the arguments of counsel. Upon the motion of a party filed and served at least 72 hours prior to the preliminary hearing, the Court may permit the questioning of witnesses at the preliminary hearing.

APPLICATION OF LBR 9014-1

1. If no timely response is filed and served, LBR 9014-1c shall not apply.
2. If a timely response is filed and served and if a final hearing is scheduled by the court:
 - a. The Required Disclosures in LBR 9014-1d(1)(a) and (b) shall be completed by all parties no later than 7 days after the preliminary hearing.
 - b. The Required Disclosures in LBR 9014-1d(1)(c) shall be completed no later than 14 days before any final hearing.
 - c. The Pretrial Disclosures in LBR 9014-1d(2) shall be completed no later than 7 days before any final hearing.

Failure to comply with this order may result in dismissal of the action, default, the assessment of costs and attorneys fees or other appropriate remedies.

Dated: 7/6/21

/s/ Marian F Harrison
United States Bankruptcy Judge

For a Chapter 7, 12 or 13 case, the clerk shall mail a copy of this order to the debtor(s), attorney for the debtor(s), trustee, U.S. trustee, any committee elected (§ 705) and attorney for movant.

In a Chapter 11 case, the clerk shall mail a copy to the attorney for movant. The attorney for the movant shall mail a copy of this order to the debtor(s), the trustee (if appointed), the U.S. trustee, any committee appointed pursuant to § 1102 or the 20 largest unsecured creditors, if no committee is appointed.